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PATENT 3-16-03

Attorney Docket No.: 18133-102



30623

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ART UNIT: 2838  
EXAMINER: Not Yet Assigned  
APPLICANTS: Christian L. Kuiawa et al.  
SERIAL NO: 09/927,822  
FILING DATE: August 10, 2001  
FOR: UNINTERRUPTIBLE POWER SUPPLY (UPS) DEVICES  
MONITORING SYSTEM

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Assistant Commissioner for Patents  
Washington, DC 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the present application are the following documents:

- ☒ Information Disclosure Statement (4 pages);
- ☒ Modified Form 1449/PTO (1 page in duplicate);
- ☒ Copies of cited references B1, C1-C4; and
- ☒ Return Postcard.

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The Commissioner is hereby authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311 (Ref. No. 18133-102). A duplicate copy of this transmittal letter is enclosed.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts.

Respectfully submitted,

Thomas M. Sullivan, Esq. (Reg. No. 39,392)  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY and POPEO, P.C.  
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For: UNINTERRUPTIBLE POWER SUPPLY (UPS) DEVICES MONITORING  
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Examiner: Not Yet Assigned

Art Unit: 2838

Assistant Commissioner for Patents

Washington, DC 20231

**STATEMENT FILED PURSUANT TO  
THE DUTY OF DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97 and 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicants request consideration of this Information Disclosure Statement.

PART I: Compliance With 37 C.F.R. §1.97

(Select A, B or C below)

A. ☒ This Information Disclosure Statement has been filed:

(Check 1, 2 and/or 3 below)

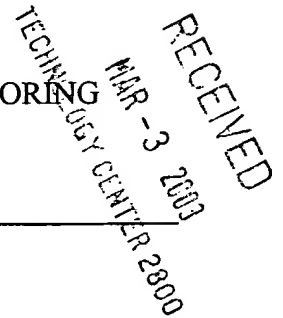
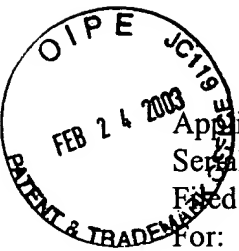
1. ☐ within three months of the filing date of a Continued Prosecution Application (CPA).

2. ☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International Application.

3. ☒ before the mailing date of a first Office Action on the merits in the above-identified case.

4. ☐ before the mailing date of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §114.

No fee or certification is required.



Applicant(s): Christian L. Kuiawa et al.  
U.S.S.N.: 09/927,822

B. ☐ This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311.

(Check 1 or 2 below)

1. ☐ The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.
2. ☐ The Applicants hereby certify, as specified in 37 C.F.R. §1.97(e), that (Check a or b below)
  - a. ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.  
No fee is required.
  - b. ☐ no item of Information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart for this application or, to the knowledge of the under signed after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.  
No fee is required.

C. ☐ This Information Disclosure Statement has been filed after the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311 and before payment of an Issue Fee.

1. The Applicants hereby certify, as specified in 37 C.F.R. §1.97(e), that:  
(Check a or b below)
  - a. ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.

Applicant(s): Christian L. Kuiawa et al.  
U.S.S.N.: 09/927,822

- b. ☐ no item of information contained in this Information disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

2. The petition fee of \$130 as set forth in 37 C.F.R. §1.17(i)(1) is enclosed.

PART II: Information Cited

A. ☒ The Applicants hereby make of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

B. ☐ The Applicants hereby make the following additional information of record in the above-identified application:

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified).

PART IV: Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

Applicant(s): Christian L. Kuiawa et al.  
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3. The citations for the information be printed on any patent, which issues form this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that a search has been performed, of the extent of any search performed, or that amore relevant information does not exist.

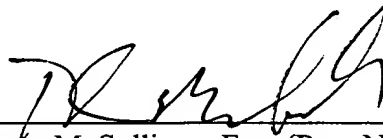
By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

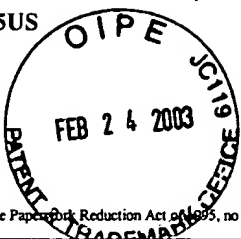


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Date: February 24, 2003

TRA 1766498v1

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PTO/SB (12-97)  
Approved for use through 9/30/00. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>Modified Form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Applicati n Number</b>		09/927,822	
				<b>Filing Date</b>		August 10, 2001	
				<b>First Named Inventor</b>		Christian L. Kuiawa et al.	
				<b>Group Art Unit</b>		2838	
				<b>Examiner Name</b>		Not Yet Assigned	
				<b>Attorney Docket Number</b>		18133-102	
<b>U.S. PATENT DOCUMENTS</b>							
<b>Exam Initials</b>	<b>Cite No.</b>	<b>U.S. Patent Document No.</b>	<b>Issue Date</b>	<b>Name of Patentee(s) or Applicant(s)</b>	<b>Class</b>	<b>Sub Class</b>	<b>Filing Date If Appropriate</b>
	A1						
	A2						
	A3						
	A4						
<b>FOREIGN PATENT DOCUMENTS</b>							
<b>Exam Initials</b>	<b>Cite No.</b>	<b>Foreign Patent Document Office Number</b>	<b>Name of Patentee(s) or Applicant(s)</b>	<b>Date of Publication</b>	<b>Translation Yes No</b>		
	B1	WO 98/55934	Alpha Technologies, Inc.	12/10/98	X		
	B2						
	B3						
	B4						
<b>OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS</b>							
<b>Exam Initials</b>	<b>Cite No.</b>	<b>Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.</b>					
	C1	Jarkowski, M. et al., "New approach for management services with a Web browser", Computer Networks, Vol. 31, No. 21 (November 1999), pp. 2227-2236.					
	C2	Daishoji, H. et al., "A compact uninterruptible power system, SAU series", Database Inspec/IEE, Database accession No. 5859337, Vol. 29, No. 1, p. 1.					
	C3	"A Software Managing Clustered Multi Vender Uninterruptible Power Supply on Network", Research Disclosure, Vol. 42, No. 419 (March 1999), pp. 1-6.					
	C4	PCT International Search Report dated January 22, 2002.					

\* copies of these references are not provided as they were previously cited by or submitted to the office in a prior application, U.S.S.N. \_\_\_\_\_, filed \_\_\_\_\_ (Patent No. \_\_\_\_\_), which is a continuation-in-part of U.S.S.N. \_\_\_\_\_, filed \_\_\_\_\_ (Patent No. \_\_\_\_\_), and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

<b>Examiner Signature</b>		<b>Date Considered</b>	
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